IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6169 OF 2007

Parvez Mohammed Hussain Ghaswala ....Petitioner
V/s
The Mun. Corpn. Of Gr. Mumbai & Anr... ....Respondents.

Mr.E.P.Bharucha, Sr. counsel i/by M/s.Khaitan & Co., adv. For the petitioner.

Mr.V.A.Thorat, Sr. Adv. With Mr.Vaiobhav Sugdhare i/by M/s.K.Ashar & Co. adv. For the respondent No.2.

CORAM: A.P.DESHPANDE, J.
4/9/07

PC:

The petitioner original plaintiff takes exception to an order passed by the City Civil Court Judge dated 18.7.07 allowing the application moved by the respondent No.2 for impleading him as party defendant in the suit. The respondent No.2 herein claims to be the owner of the property. The suit filed by the petitioner is for seeking regularization of mezzanine floor on the third floor of the building by placing reliance on policy decision taken by the Corporation that mezzanine floors constructed prior to 1997 are to be regularized. The trial Court being of the view that the presence of the applicant was necessary for complete and effective adjudication of dispute has permitted the respondent No.2 to be impleaded as party defendant. As the respondent No.2 herein claims to be the owner of the property he would atleast be a proper party in as much as his property is the subject matter of the suit. Perused the order. Same does not call for any interference. Hence writ petition is summarily dismissed.

4.9.07